

Regular Session, 2010

HOUSE BILL NO. 44

BY REPRESENTATIVES KLECKLEY AND ABRAMSON

INSURANCE/PROPERTY: Requires insurers to include certain information relative to refund of certain assessments levied by the La. Citizens Property Insurance Corporation with policies sent to insureds

1 AN ACT

2 To enact R.S. 22:2317, relative to property insurance; to require that insurers include certain
3 information relative to refund of certain surcharges, market equalization charges, or
4 other assessments levied by the Louisiana Citizens Property Insurance Corporation
5 with policies sent to insureds; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 22:2317 is hereby enacted to read as follows:

8 §2317. Refund of certain assessments

9 At the time of issuance or annual renewal of a property insurance policy, each
10 insurer shall include the following with the policy sent to each insured:

11 (1) Information on the electronic link to the form designated by the
12 Department of Revenue to receive a refund from the state after its payment by the
13 insured pursuant to R.S. 47:6025(A)(3) for the amount of any surcharge, market
14 equalization charge, or other assessment levied by the corporation pursuant to R.S.
15 22:2307 due to Hurricanes Katrina and Rita.

16 (2) A statement in fourteen-point or boldface type that any surcharge, market
17 equalization charge, or other assessment levied by the corporation pursuant to R.S.
18 22:2307 due to Hurricanes Katrina and Rita is refundable.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Kleckley

HB No. 44

Abstract: Requires that insurers include certain information relative to refund of certain assessments levied by the La. Citizens Property Insurance Corporation with policies sent to insureds.

Present law provides that in the event that the governing board of the La. Citizens Property Insurance Corporation determines that a deficit exists in either the Coastal Plan or the FAIR Plan, it may levy certain assessments upon insureds.

Present law further provides that such surcharges, market equalization charges, or other assessments levied by the corporation due to Hurricanes Katrina and Rita are refundable by the state as a state tax credit or upon payment and filing of a form provided by the secretary of the Dept. of Revenue.

Proposed law provides that at the time of issuance or annual renewal of a property insurance policy, each insurer shall include the following with the policy sent to each insured:

- (1) Information on the electronic link to the form designated by the Dept. of Revenue to receive a refund from the state after its payment by the insured for the amount of any surcharge, market equalization charge, or other assessment levied by the corporation due to Hurricanes Katrina and Rita.
- (2) A statement in 14-point or boldface type that any surcharge, market equalization charge, or other assessment levied by the corporation due to Hurricanes Katrina and Rita is refundable.

(Adds R.S. 22:2317)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Insurance to the original bill.

1. Deleted requirement that the form designated by the Dept. of Revenue to receive a refund be included and instead provides that information on the electronic link to such form be included.
2. Deleted requirement that instructions from the Dept. of Revenue as to how to file such form be included and instead provides that a statement in 14-point or boldface type that such charges are refundable be included.